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Attorneys for Defendants
Homestore, Inc., The National Association
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of Home Builders of the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KEVIN L. KEITHLEY and TREN
TECHNOLOGIES HOLDING LLC,

Plaintiffs.

v.

HOMESTORE.COM INC. et al

Defendants.

Case No. 3:03-CV-04447 SI (EDL)

**DEFENDANTS' ADMINISTRATIVE
MOTION FOR FILING UNDER SEAL**

SUPPORTING DECLARATION OF S. BENJAMIN PLEUNE

[PROPOSED] ORDER

Courtroom: 10, 19th Floor
Judge: Honorable Susan Illston

DEFENDANTS' ADMINISTRATIVE MOTION FOR FILING UNDER SEAL

1. Papers Submitted For Filing Under Seal In Their Entirety

Pursuant to Civil Local Rules 7-11 and 79-5(b), Defendant Move, Inc. (formerly Homestore.com, Inc.) hereby requests leave of Court to file under seal in their entirety the following documents being lodged with the Clerk:

- Exhibits 2, 3, and 4 to the Supplemental Declaration S. Benjamin Pleune in Support of Defendants' Motion for Summary Judgment of Invalidity for Anticipation and Obviousness.

Exhibits 2, 3, and 4 have been designated as Confidential by the Plaintiffs in this case.

As required by Civil Local Rule 79-5(b), Defendants are lodging with the Clerk copies of said exhibits.

Submitted this 31st day of October, 2008.

LUTHER ORTON
SNYDER, MILLER & ORTON LLP

/s/ S. Benjamin Pleune
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ATTORNEYS FOR DEFENDANTS

SUPPORTING DECLARATION OF S. BENJAMIN PLEUNE

I, S. Benjamin Pleune, declare as follows:

3 1. I am an attorney at law licensed to practice before all of the courts of the State of
4 North Carolina. I am an attorney in the law firm of Alston & Bird, LLP, counsel for Defendants
5 Homestore.com, Inc., The National Association of Realtors, and The National Association of
6 Home Builders of the United States (collectively “Defendants”). I have knowledge of all of the
7 following facts and, if called as a witness, could and would competently testify thereto.

8 2. The representations made above in this Administrative Motion are true and
9 correct to the best of my knowledge and belief.

10 I declare under penalty of perjury under the laws of the United States of America that the
11 foregoing is true and correct.

12 || Executed on October 31, 2008.

/s/ S. Benjamin Pleune
S. Benjamin Pleune

1 [PROPOSED] ORDER
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3 Upon good cause shown, **IT IS HEREBY ORDERED** that Exhibits 2, 3 and 4 to the
4 Supplemental Declaration S. Benjamin Pleune in Support of Defendants' Motion for Summary
5 Judgment of Invalidity for Anticipation and Obviousness be filed under seal by the Clerk.

6 **IT IS SO ORDERED.**

7 Dated: _____
8 Hon. Susan Illston
9 United States District Court Judge
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Susan Illston

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that a copy of the foregoing **Defendants'**
3 **Administrative Motion For Filing Under Seal; Supporting Declaration Of S. Benjamin**
4 **Pleune; [Proposed] Order** was served upon the following parties on October 31, 2008 by
5 electronic delivery:

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12 s/ S. Benjamin Pleune
13 S. Benjamin Pleune

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